

REMARKS

Reconsideration of the application in light of the amendments and the following remarks is respectfully requested.

Status of the Claims

Claims 1, 3-12, and 14-21 are pending.

Claims 2 and 13 were cancelled in a previous response.

Claim 1 has been amended. The amendments to claim 1 were made to place the claim in better idiomatic English, were not made for reasons of patentability, and do not narrow the scope of the subject matter recited therein.

No new matter has been added.

Rejection under 35 U.S.C. §102

Claims 1, 3-4, 7, 9-12, 14-16, 19, and 21 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,757,723 to O'Toole et al. ("O'Toole") Applicants respectfully traverse the rejection.

The Examiner contends that O'Toole discloses a self-organizing distributed appliance (SODA) 18, which is configured with a global unique identifier such as a MAC address of the Ethernet card located in the appliance 18, to efficiently distribute large data items, such as high bandwidth media content, over a network 14. *See*, O'Toole, col. 3, lines 49-61; col. 4, lines 17-39; and Figure 1. Further, the Examiner contends that O'Toole discloses all of the elements of the

appliances 110 having a control center 170 and base stations 150 which monitor the status of the appliances 110. The Examiner contends that it would have been obvious to one of ordinary skill in the art at the time of the invention to combine O'Toole and Wood to achieve the claimed invention.

Claims 5, 6, and 8 depend from claim 1, and recite features in addition to those set forth in claim 1. Claims 17, 18, and 20 depend from claim 12, and recite features in addition to those set forth in claim 12. Applicants submit that Koether fails to disclose the features of activating a button and transmitting identifier information demonstrated to be missing from O'Toole, as discussed above with respect to claims 1 and 12. Therefore, the combination of O'Toole and Koether fail to disclose each and every feature in claims 5, 6, 8, 17, 18, and 20.

Thus, Applicants submit that claims 5, 6, 8, 17, 18, and 20 are patentable over the combination of O'Toole and Koether. Applicants submit that the Examiner has failed to meet the burden of establishing a *prima facie* case of obviousness over claims 5, 6, 8, 17, 18, and 20. Applicants respectfully request reconsideration and withdrawal of the rejection.

CONCLUSION

Each and every point raised in the Final Office Action dated September 18, 2006 has been addressed on the basis of the above amendments and remarks. In view of the foregoing it is believed that claims 1, 3-12, and 14-21 are in condition for allowance and it is respectfully requested that the application be reconsidered and that all pending claims be allowed and the case passed to issue.

If there are any other issues remaining which the Examiner believes could be resolved through a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at the telephone number indicated below.

Dated: December 18, 2006

Respectfully submitted,

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